

MAGISTRATE JUDGE MORTON DENLOW

219 South Dearborn Street

Courtroom 1350

Chambers 1356

Chicago, IL 60604

(312) 435-5856

Fax: (312) 554-8547

Courtroom Deputy: Donna Kuempel

e-mail: Donna_Kuempel@ilnd.uscourts.gov

Room 1358

(312) 435-5857

Court Web Site: <http://www.ilnd.uscourts.gov>

STANDING ORDER IN SOCIAL SECURITY CASES

This case comes before the Court on consent of the parties for review of the decision of the Commissioner of Social Security denying social security benefits to Plaintiff. The Court hereby adopts the following procedures for the disposition of this case pursuant to 42 U.S.C. § 405(g):

MOTION AND BRIEFING GUIDELINES

A. **PLEADINGS FORMAT.** A Social Security appeal shall commence with the Complaint filed by Plaintiff. The Commissioner shall respond with an Answer as in any other civil case. The Commissioner shall also file the administrative record. In addition to the Complaint and Answer, the following shall be filed:

1. Plaintiff's brief in support of reversing or remanding the decision of the Commissioner;
 2. Commissioner's response brief in support of affirming the decision of the Commissioner;
- and

3. Plaintiff's reply brief

No motions (e.g. motions for summary judgment; motions for judgment on the pleadings; or motions to affirm, reverse or remand) shall be filed.

B. **PLAINTIFF'S BRIEF.** In preparing a social security brief, Plaintiff should do the following:

1. Identify the specific grounds for reversal or remand early in the brief (e.g. the ALJ erred by failing to discuss the treating physician's recommendation that Plaintiff is disabled, or the ALJ erred by failing to include the limitations with Plaintiff's right hand in the hypothetical to the vocational expert). Be as specific as possible.

2. State clearly the relief requested.

3. Include only those facts that relate to the issues presented. It is not necessary to include Plaintiff's entire medical history if it is not relevant to the issues raised.

4. It is not necessary to spend three to four pages repeating the well recognized standards for the five-part test. Cite a case that you believe accurately states the legal principles you wish the Court to apply. Make the Court aware of relevant contrary authority.

5. Attach a copy of the ALJ's decision as an exhibit to the brief.

C. **COMMISSIONER'S RESPONSE BRIEF.** In responding to Plaintiff's brief, the Commissioner should do the following:

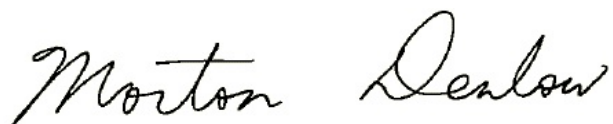
1. Consider whether a voluntary remand is appropriate. If so, please contact Plaintiff's counsel and prepare the appropriate stipulation.

2. Supplement Plaintiff's facts where needed for the issues presented. Do not feel compelled to repeat the facts.

3. Cite to those portions of the record that constitute substantial evidence in support of the ALJ's decision.

D. **ORAL ARGUMENT.** Judge Denlow conducts oral argument in all cases.

ENTER:



MORTON DENLOW
United States Magistrate Judge

Date: December 21, 2007